

IN RE: PETITION FOR ADMIN. VARIANCE
NW/S Old Carriage Road, 1.5 mi. S of
the c/l of Maybrook Court
(11102 Old Carriage Road)
11th Election District
6th Councilmanic District

Eddie C. Brown, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-253-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Eddie C. and Carmen S. Brown. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (18' x 22' one-car garage) in the side yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING

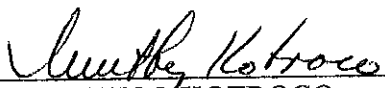
Date

By

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of January, 1999 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (18' x 22' one-car garage) in the side yard in lieu of the required rear yard., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 1/13/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

~~January~~ 13, 1999

Mr. & Mrs. Eddie C. Brown
11102 Old Carriage Road
Glen Arm, Maryland 21057

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/S Old Carriage Road, 1.5 mi. S of the c/l o Maybrook Court
(11102 Old Carriage Road)
11th Election District – 6th Councilmanic District
Eddie C. Brown, et ux - Petitioners
Case No. 99-253-A

Dear Mr. & Mrs. Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel; Case File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11102 OLD CARRIAGE RD, GLEN ARM
which is presently zoned RESIDENTIAL RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1, B.C.Z.R. TO PERMIT A

SHEED TO BE LOCATED IN THE SIDEYARD IN LIEU OF
THE REQUIRED REAR YARD.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

EDDIE C. BROWN
Name - Type or Print

Signature

CARMEN S. BROWN
Name - Type or Print

Signature

11102 OLD CARRIAGE RD 665-2410
Address Telephone No.

GLEN ARM, MD
City State

21057
Zip Code

Representative to be Contacted:

Same
Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By QUM

Date 12.17.98

Estimated Posting Date

12.27.98

CASE NO.

99.253A

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

11102 OLD CARRIAGE RD
Address
GLEN ARM, MD
City State
21057
Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

we chose this spot on our lot because it is the only level spot on the property to build a garage.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Eddie C. Brown
Signature

EDDIE C. BROWN
Name - Type or Print

Carmen S. Brown
Signature

CARMEN S. BROWN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of November, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Eddie C. BROWN

CARMEN S. BROWN

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

November 16, 1998

Date

Charlene P. Gross
Notary Public Charlene P. Gross

My Commission Expires June 1, 2002

REV 09/15/98

ORDER RECEIVED FOR FILING

Date

ZONING DESCRIPTION FOR 11102 Old CARRIAGE ROAD

Beginning at a point on the north-west side of Old Carriage Road which is 50' wide at the distance of 1.5 MILES ± ^{SOUTH} of the centerline of the nearest improved intersecting street MAYBROOK CT. which is 50' wide. Being Lot # 18, Block C, Section #2 in the subdivision of Honeysuckle Hill as recorded in Baltimore County Plat # 31, Folio # 97, containing 2.7 acres. Also known as 11102 Old Carriage Road and located in the 11th Election District, 6th Councilmanic District.

253

99-253-A

CERTIFICATE OF POSTING

RE: Case # 99-253-A
Petitioner/Developer:
(Sylvia Brown)
Date of ~~Posting~~/Closing:
(Jan. 11, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
11102 Old Carriage Road Baltimore, Maryland 21057 _____

The sign(s) were posted on _____ Dec. 26, 1998 _____
(Month, Day, Year)

Sincerely,

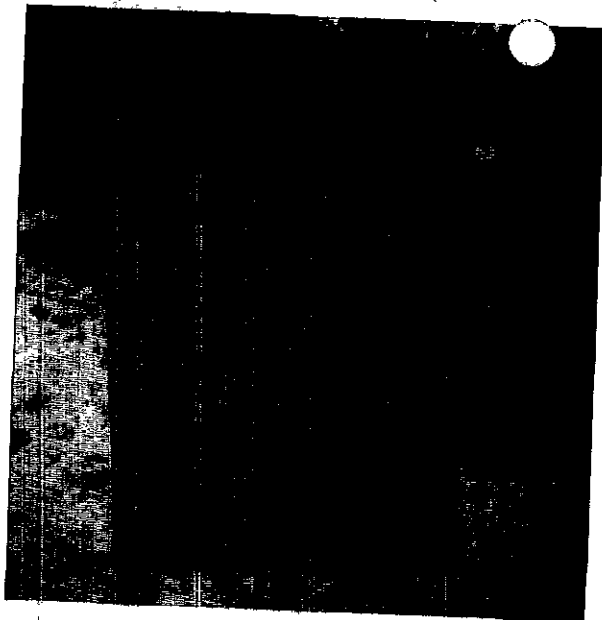

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 062406

DATE 12-17-18 ACCOUNT 253 211-1150

AMOUNT \$ 52.00

RECEIVED FROM: Z Brown

FOR: 10117 M VAN

FOR:

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
2/18/1998 12/17/1998 15:23:56
REC W502 CASHIER JRIC JMK DRAWER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 074086
CR NO. 062406

50.00 CHECK
Baltimore County, Maryland

99-253-A

CASHIER'S VALIDATION

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 99- 253 -AAddress 11102 OLD CARRIAGE RD.Contact Person: J. Mearry
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12-17-98Posting Date: 12-27-98Closing Date: 1-11-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 253 -AAddress 11102 OLD CARRIAGE RD.Petitioner's Name E. BROWN

Telephone _____

Posting Date: 12-27-98Closing Date: 1-11-99Wording for Sign: A VARIANCE
To Permit A SHED TO BE LOCATED IN THE
SIDEYARD IN LIEU OF THE REQUIRED REAR YARD.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 253
Petitioner: E. BROWN
Address or Location: 11102 OLD CARRIAGE RD. GLEN ARM MD. 21057

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same
Address: Same
Telephone Number: (410) 665-2410

Revised 2/20/98 - SCJ

99-253-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 1999

Mr. & Mrs. Eddie C. Brown
11102 Old Carriage Road
Glen Arm, MD 21057

RE: Item No.: 253
Case No.: 99-253-A
Location: 11102 Old Carriage Road

Dear Mr. & Mrs. Brown:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on December 17, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: January 4, 1999

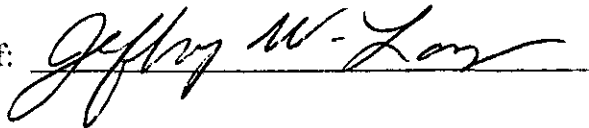
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 253

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: _____



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 12.28.94

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

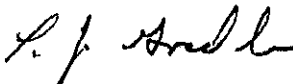
RE: Baltimore County
Item No. 253 JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free


Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 29, 1998

FROM:  Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for December 28, 1998
Item Nos. 246, 247, 248, 249, 250,
253 and 254

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1228.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: -----

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 246
247
249
250
251
253
254



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 31, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 28, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

246, 247, 248, 250, 251, (253) and 254

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Eddie C. & C. Sylvia Brown
11102 Old Carriage Rd.
Glen Arm, MD 21057
410-665-2410

December 10, 1998

Dear Neighbors:

Eddie and I would like to build a one-car garage next to our house on the north side. It will be placed on what was our small garden. The exterior of the garage will be of the same wood and stain as our house and will blend in architecturally with the house. Attached is a sketch of the plan.

Sincerely,

Eddie Brown, Sylvia Brown
Eddie & Sylvia Brown

253
We have no objections to the Brown's planned garage:

Lot 19—Choi Yong Elin

Lot 17—Fantom John Fantom, Carolyn Fantom

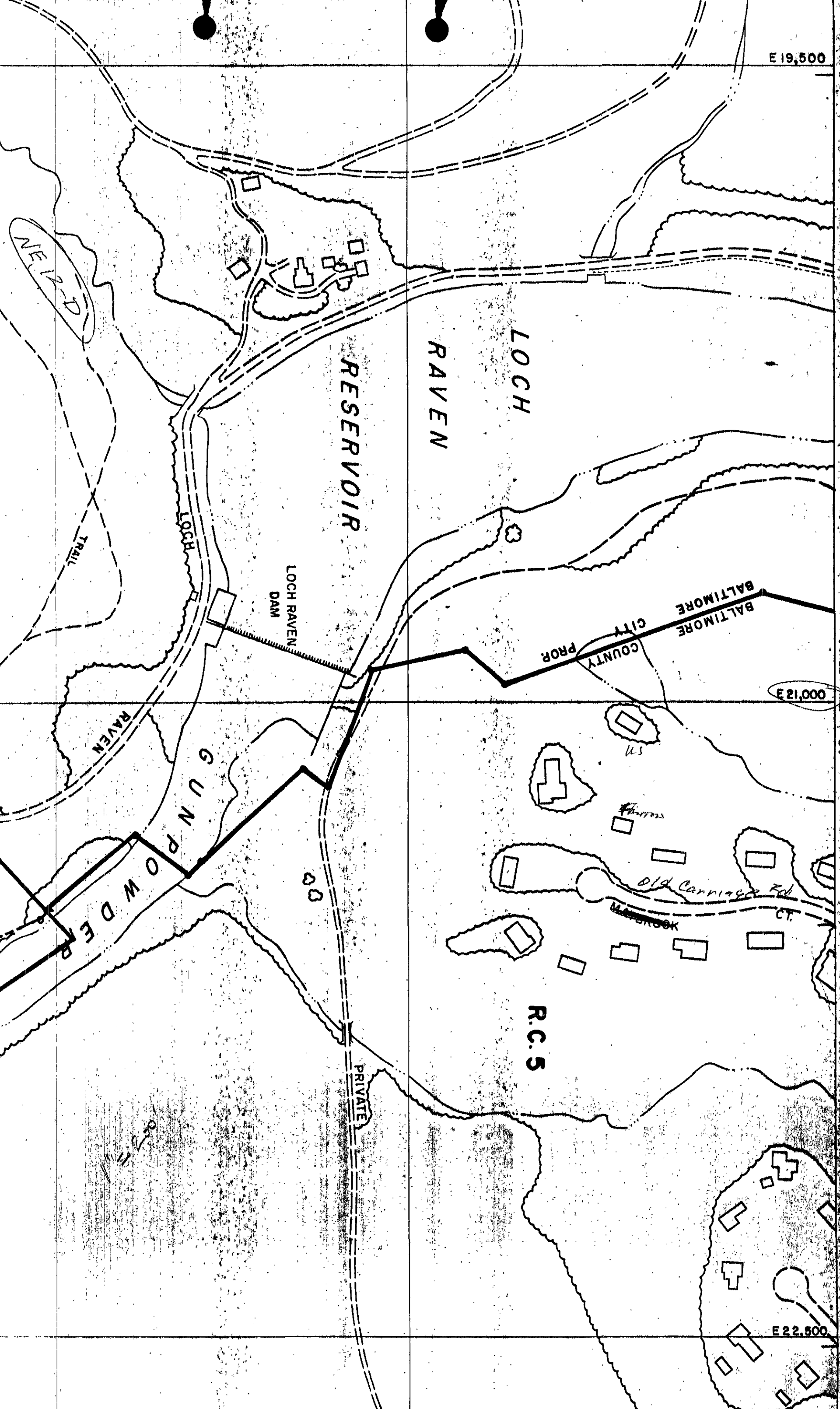
Lot 16—Quigley Jim Quigley, Patricia Quigley

Lot 13—Paros Mary Paros

Lot 14—Ebrite Mary Angel Ebrite

99-253-A

E 19,500



(SHEET AE-19-D)

E 21,000

E 22,500

AVEN

IR

NE 13-D

R.C. 5

CARRIAGE

RD

LAMONT PL

R.C. 5

W.S.P.

(SHEET 1 OF 2)

E 21,000

E 22,500

MAYBROOK CT

SCALE

1" = 200'

LOCATION

SHEET

N 48,000

E 24,000

N 52,000

N 49,000

N 50,000

253

99.253.A

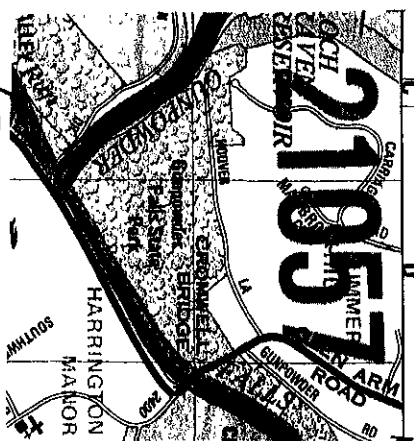
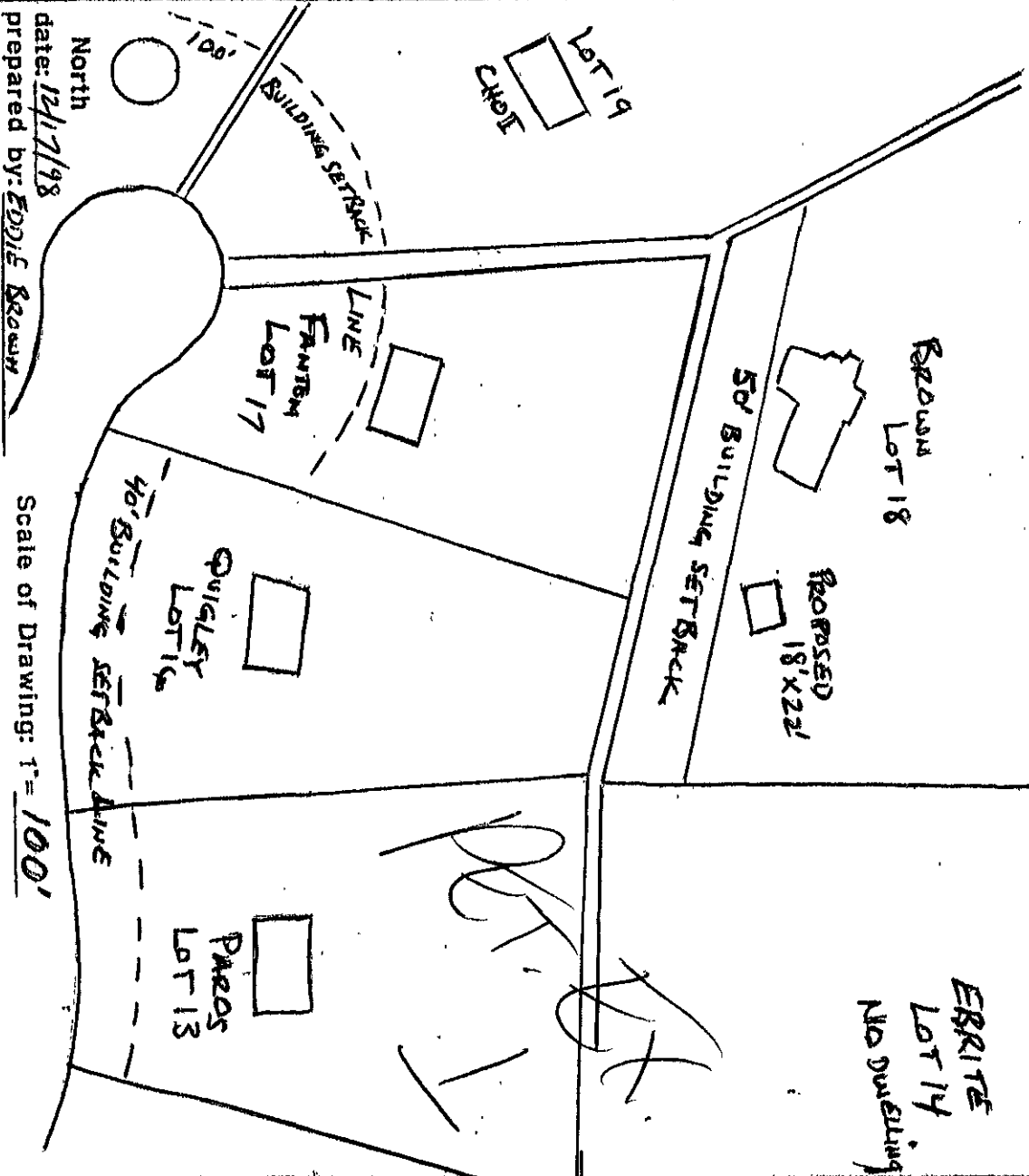
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1102 Old Larrage Rd. Glen Arm see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Chesapeake Hill

Plat book# 35, lot# 97, lot# 18, section# 2

OWNER: Eddie & Carmen Brown



Vicinity Map
scale 1"=1000'

LOCATION INFORMATION

Election District: 11

Councilmanic District: 6

1"=200' scale map# NE-12D

Zoning: RC-5

Lot size: 2.7

acreage square feet

SEWER: ☐ public ☒ private

WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ ☒

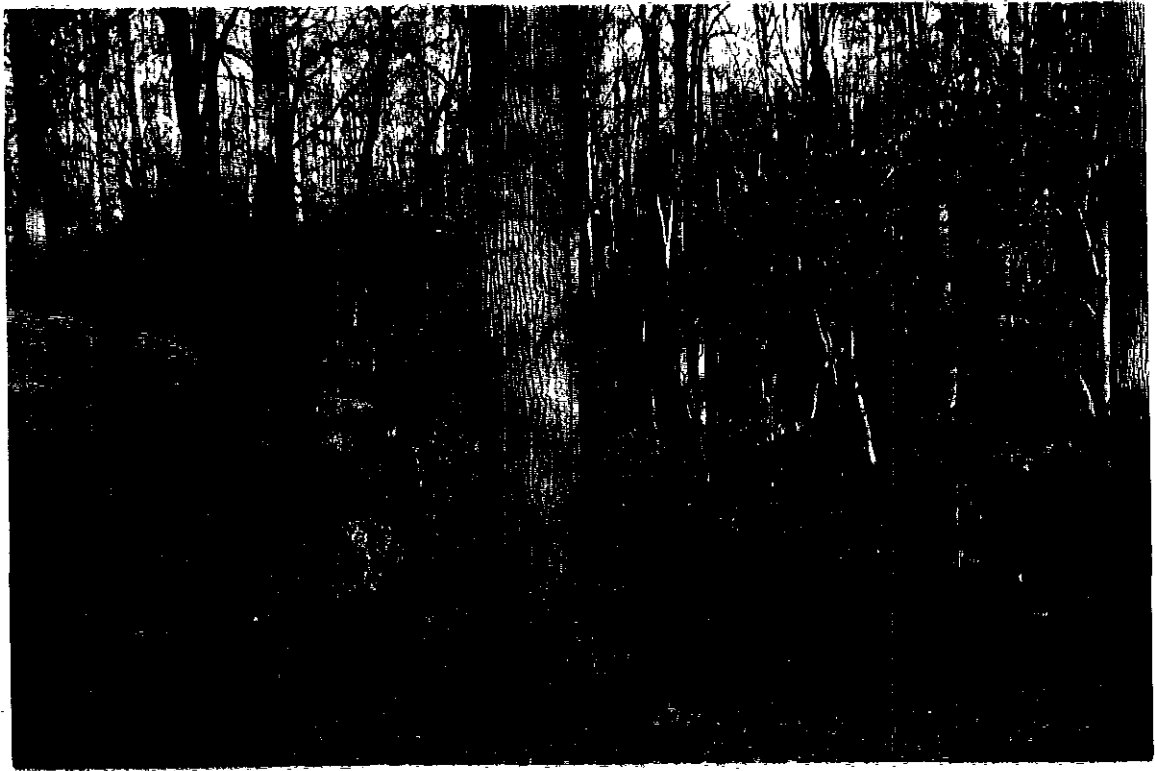
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

SM 253

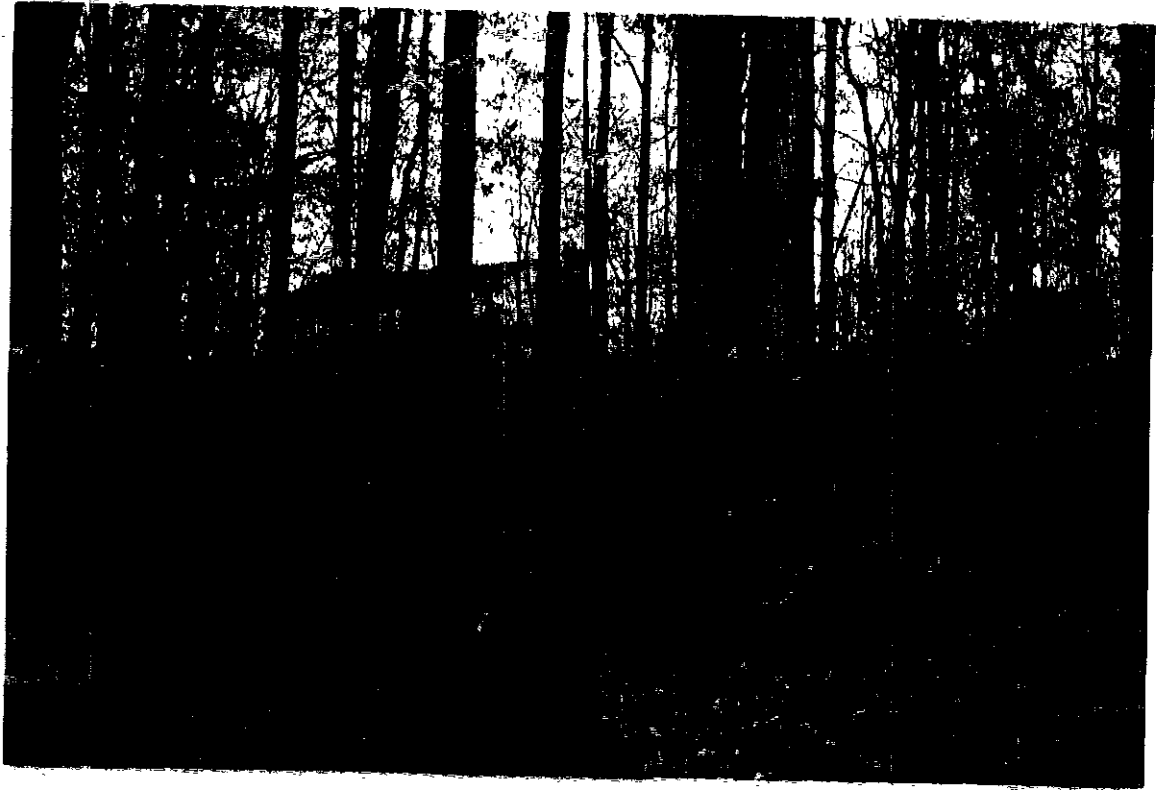
99.253-A



99-253-A



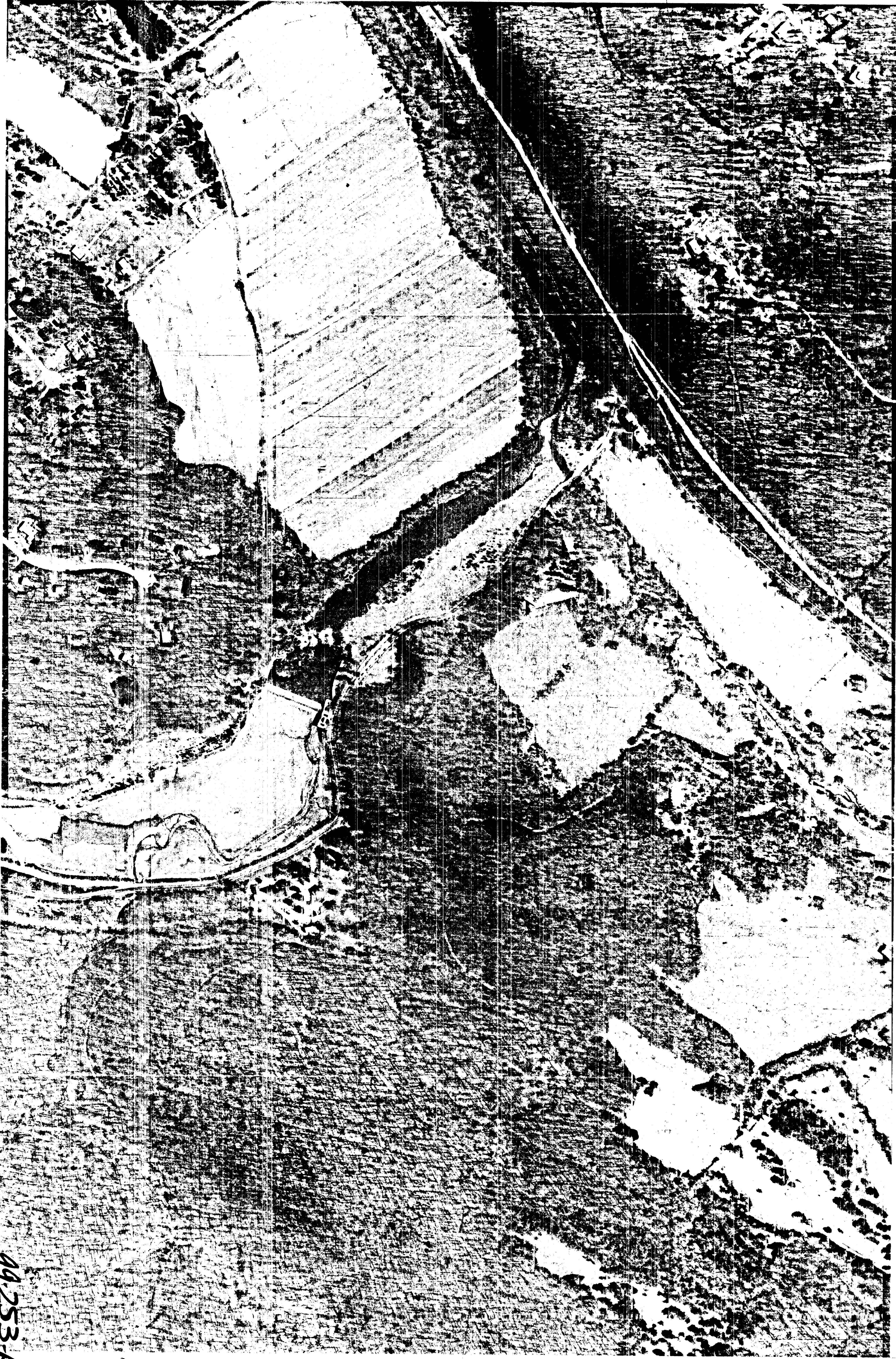
99-253-A



99-253-A

44-2533-A

253



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION		SHEET	
1" = 200' ±		LOCH	RAVEN	N.E.	
DATE OF PHOTOGRAPHY JANUARY 1986		RESERVOIR AREA		12-D	
		CROMWELL BRIDGE			